

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DOMINIQUE GREEN,
on behalf of herself and others similarly situated,

Plaintiffs,

-against-

SWEETWORKS CONFECTIONS, LLC,

Defendants.

Civil Action No. 1:18-cv-00902-LTS-SN

Electronically Filed

NOTICE OF MOTION

Hon. Laura Taylor Swain

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Motion to Dismiss by Defendant SweetWorks Confections, LLC (“SweetWorks”), the Declaration of Rebecca Stout, Chief Financial Officer of SweetWorks Confections, LLC, made on April 17, 2018, and the Exhibits annexed thereto, and the Declaration of Daniela Marando, paralegal of Harris Beach PLLC, made on April 17, 2018, SweetWorks, by and through its attorneys Harris Beach PLLC, shall move before the Honorable Laura Taylor Swain, United States District Court Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 17C, New York, New York 10007, at a time set by the Court, for an Order pursuant to Rules 9(b), 12(b)(1), and/or 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff’s Class Action Complaint with prejudice, or, in the alternative, dismissing or striking Plaintiff’s nationwide class claims, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that SweetWorks, by and through its attorneys Harris Beach PLLC, hereby certifies that it has used its best efforts to resolve informally the matters raised in its submission, and Plaintiff has not amended their Complaint in response to the arguments raised in this Motion.

Dated: April 18, 2018
Pittsford, New York

HARRIS BEACH PLLC

By: /s/Daniel E. Guzmán

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